

## Official Proceedings

April 7, 2020  
8:00 am

Chairman Kuntz called the meeting of the Stark County Board of Commissioners to order. All members present. Meeting was conducted as a Conference Call, the public was given access to the conference call.

### **Agenda**

Chairman Kuntz asked for any changes to the agenda. State's Attorney Tom Henning added Executive Session at the end of the meeting.

**MOTION BY:** Commissioner Zander      **SECOND BY:** Commissioner Elkin  
To approve the agenda with the changes.

**DISPOSITION:** Roll call vote. All vote aye. Motion carried.

### **Minutes**

The March 3, 2020 Board of County Commissioner's regular meeting minutes were presented.

**MOTION BY:** Commissioner Elkin      **SECOND BY:** Commissioner Arthaud  
To approve the March 3, 2020 Board of County Commissioner's meeting minutes as presented.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried

The March 25, 2020 Board of County Commissioner's special meeting minutes were presented.

**MOTION BY:** Commissioner Elkin      **SECOND BY:**  
To approve the March 25, 2020 Board of County Commissioner's special meeting minutes as presented.

**DISPOSITION:** Motion failed lack to no second.

The official date of the special meeting date was verified as March 25, 2020.

**MOTION BY:** Commissioner Zander      **SECOND BY:** Commissioner Elkin  
To approve the March 25, 2020 Board of County Commissioner's special meeting minutes as presented.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried

### **Accounts Payable**

**MOTION BY:** Commissioner Franchuk      **SECOND BY:** Commissioner Arthaud  
To approve the accounts payable with the supplement as presented.

**DISPOSITION:** Roll call vote. All vote aye. Motion carried

### **Green River Estates**

Need to award the bid on Green River Estates project #CP-45-20(05), which was tabled from the last meeting.

**MOTION BY:** Commissioner Zander      **SECOND BY:** Commissioner Elkin

To award the bid to Northern Improvement Company in the amount of \$298,945.00 and authorize the Chairman to sign the contract.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried.

### **Fire Emergency and Burn Ban Proclamation**

Bill Fahlsing, Emergency Manager, presented the annual fire emergency and burn ban proclamation.

**MOTION BY:** Commissioner Franchuk      **SECONDED BY:** Commissioner Arthaud

To approve the Fire Emergency and Burn Ban Proclamation.

**DISPOSITION:** Roll call vote. All voted aye. Motion Carried.

### **Scul**

Commissioner Zander reported Rod Cockeram sent him a status report on the Stark County Office Building and in spite of the COVID-19 Pandemic they are still working on site and are still on target with completion date. If any Commissioners have any questions, feel free to contact Mr. Cockeram.

### **Memorandum of Agreement (MOA) – Taylor Bridge**

Al Heiser, Road Superintendent, presented a Memorandum of Agreement for structure 45-138-21.0 bridge replacement project south of Taylor pertaining to historic preservation.

**MOTION BY:** Commissioner Elkin      **SECOND BY:** Commissioner Franchuk

To allow the Chairman sign the Memorandum of Agreement for NDDOT Bridge Project #BRO-0045(066).

**DISPOSITION:** Roll call vote. All voted aye. Motion carried.

### **Courthouse Front Steps Project**

Chairman Kuntz reported that we have two options to repair the Courthouse front steps, and they are have Winn Construction do the project or forget about saving the marble steps and pour it all concrete. Concerns with objection from the Historical Society with replacing the marble steps with concrete were discussed. Since there is not an urgency to start the project the decision was tabled until the next meeting.

### **Executive Session**

Mr. Henning reported the Executive Session was to review a portfolio assignment that may result in an official action. Concerns were discussed about assuring this will be an Executive Session with this being a conference call, and not being able to control who will be on the call.

**MOTION BY:** Commissioner Arthaud      **SECOND BY:** Commissioner Zander  
Commissioner Arthaud stays on EM/911 portfolio, with the fact that I talked to Chairman Kuntz yesterday, and he is going to join me on that portfolio.

**DISPOSITION:** Roll call vote. Commissioner Arthaud Aye. Commissioner Zander Nay. Commissioner Elkin Nay. Commissioner Franchuk Aye. Chairman Kuntz Aye. Motion carried.

Mr. Henning stated that we still need to go into Executive Session, but need to address the concerns about the logistics of holding the Executive Session with a conference call.

Chairman Kuntz permitted Andrew Kordonowy to speak. Mr. Kordonowy cited Century Code and opinions on how to handle an Executive Session according to the Attorney General's website.

Mr. Henning stated that no motion has been made to move into an Executive Session, he has just stated that an Executive Session was necessary. The Commission has expressed the necessity and concerns with the confidentiality required by law to conduct an Executive Session. No action taken on the Executive Session.

**Edward Dick – 2<sup>nd</sup> Amendment on Preservation in North Dakota**

Mr. Dick was under the understanding that he was on the agenda at 10:45AM to seek support of the 2<sup>nd</sup> Amendment on Preservation in North Dakota. This was not reflected on the Official Agenda. Commissioner Zander reported that this is a red flag movement going on through the United States of the government's ability to come into your home and take your weapons. Commissioner Zander suggested that Commissioners check out the website to become familiar with the movement and welcome the public to email Commissioners with comments. Mr. Dick was directed to follow up with Auditor Haag to get on next month's agenda and verify she received the Resolution of Support to be forwarded to County Commissioners.

**Petitions Received**

Auditor Haag provided the list of petitions she has received for the open County Commissioner positions as follows: Pete Kuntz, Bernie Marsh, Leslie Ross, Neil Messer and Dean Franchuk. Commissioner Zander commented that any individual in the general public can run for an open position as a write in candidate in the primary. Certain requirements would need to be met.

**MOTION BY:** Commissioner Arthaud      **SECOND BY:** Commissioner Elkin  
To adjourn the meeting.

**DISPOSITION:** Motion carried

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Kay Haag, Auditor

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Pete Kuntz, Chairman